

RALPH KING.

[To accompany Bill H. R. No. 698.]

MAY 4, 1860.

Mr. E. JOY MORRIS, from the Committee on Foreign Affairs, made the following

REPORT.

The Committee on Foreign Affairs, to whom was referred the memorial of Ralph King, late United States consul at Bremen, asking for compensation for diplomatic and other extra services, have had the same under consideration, and they beg leave to report:

That the memorialist acted as United States consul at the port of Bremen during the years 1851, 1852, and 1853. During this period the United States government had no diplomatic agent in the republic of Bremen, and neither a diplomatic agent or consul in the adjoining kingdom of Hanover. It consequently "became necessary," as is stated in a letter before the committee, from the Hon. Wm. L. Marcy, Secretary of State, "for Mr. King, in his efforts for the protection of persons and property of American citizens, and in defending their rights, unjustly assailed, to enter into correspondence with the local authorities both of Bremen and Hanover, and discuss questions entirely diplomatic in their character, requiring careful consideration, and much legal knowledge. The department has also reason to believe that Mr. King was subjected to some pecuniary expenses in consequence of being compelled to leave his consulate, and visit Hanover, for the purpose of having private interviews on public business with the local authorities."

This is very evident to the committee from the examination of a statement of the facts connected with the cases referred to by Mr. King in his memorial, furnished by the Department of State. It appears that:

In August, 1851, Mr. King called the attention of the Bremen Senate to an infraction of the rights of American citizens who were denied the equal commercial privileges with the citizens of Bremen, guaranteed to them by the treaty of 1827. They were compelled to transact their business through the agency of a privileged class of Bremen citizens, or submit to the payment of an annual tax of fifty

rix dollars, when Mr. King entered his protest against it. At the conclusion of a long correspondence on the subject, it was announced that the Senate of Bremen had been induced to instruct their authorities to admit citizens of the United States to full and equal commercial privileges.

In October, 1852, Mr. King commenced a correspondence with the authorities, demanding the release of an American citizen, who was unjustly imprisoned for debt, and after a protracted correspondence, he succeeded in obtaining his release in January, 1853.

Through the exertions of Mr. King, in consequence of the frequent complaints made by United States shipmasters, of the arrest of their seamen for debt at Bremerhaven, the government of Bremen passed a law by which engagements made by seamen were regarded as illegal, and having no binding force. It will be remembered that, in 1829, Bremen acquired this port of Bremerhaven from Hanover, but that kingdom exercises full sovereignty over the Weser to the middle of the river. Thus vessels leaving Bremen or Bremerhaven are compelled to pass through waters over which Hanover claims jurisdiction.

Profiting by this, a claim at Bremerhaven on five seamen of the bark "Arethusa" was transferred to a subject of Hanover, and the men were thrown into a Hanoverian prison. There was not, as has previously been stated, any diplomatic representative or consul of the United States in Hanover, and as it would have taken several months to have received instructions from the State Department, Mr. King assumed the responsibility. Addressing himself to the Hanoverian authorities, he demanded the immediate discharge from prison of the five American seamen, and the payment of the amount of damage sustained by Captain Crowell in the detention and exposure of his vessel. A lengthy correspondence ensued, which was concluded by a letter from the Hanoverian minister, Baron Van Scheele, informing Mr. King that the seamen had been released, and that a passage to New York had been provided for them.

In the above-mentioned cases Mr. King exercised functions properly belonging to diplomatic agents, and his action, as narrated in numerous dispatches from him now on file at the Department, met the approval of the Secretary of State. Mr. Marcy further stated that there are two or three other cases "in which his active exertions were used in behalf of naturalized citizens of these United States, who were arrested in Hanover on claims for military service alleged to be due to that government, and who probably were indebted for their release to his strenuous efforts."

Appropriations have repeatedly been made by Congress for the remuneration of United States consuls who have performed diplomatic duties in the absence of a United States minister or chargé d'affaires, but the committee are not aware of any appropriation having been made for extra services performed by a consul where a United States mission had not been previously established.

Your committee do not propose to establish a precedent, by declaring that all extra services performed by consuls—either in countries where there are, or where there are not diplomatic agents—entitle them to compensation therefor. This claim of Mr. King's, however, for suc-

cessfully defending the rights of American citizens, and for protecting their persons and their property, both in Bremen and in Hanover, is recognized by the Department of State as for services "entirely diplomatic in their character," which also subjected him to some pecuniary expenses.

Concurring with the Secretary of State in his opinion of the nature and of the value of these services, the committee are of opinion that Mr. King is entitled to one-half of the amount which he claims, the sum of five hundred dollars per annum, making fifteen hundred dollars in full, for all services rendered by him while United States consul at Bremen. They therefore report a bill in his favor for that amount, and recommend its passage.

